

Chapter PSC 184

**CONSTRUCTION BY WATER PUBLIC UTILITIES
AND BY MUNICIPAL WATER AND SEWER PUBLIC
UTILITIES COMBINED UNDER S. 66.077, STATS.**

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History: Chapter PSC 184 as it appeared on October 31, 1974 was repealed and a new chapter PSC 184 was created effective November 1, 1974.

PSC 184.01 Application of rules. The rules in ch. PSC 184 shall apply to utility plant construction by every water public utility and, in addition, to water and sewer utility plant construction by every combined water and sewer public utility of any town, village, or city of the fourth class combined to form a single public utility pursuant to s. 66.077, Stats. The rules do not apply to any other sewer operation.

History: Cr. Register, October, 1974, No. 226, eff. 11-1-74.

PSC 184.02 Definitions. (1) The term "certificate" as used herein refers to a specific formal authorization granted by the commission pursuant to s. 196.49, Stats.

(2) The term "acquire" as used herein refers only to the acquisition of a unit of plant and/or mains in place and ready for operation and does not include the purchase of materials or equipment for later installation.

History: Cr. Register, October, 1974, No. 226, eff. 11-1-74.

PSC 184.03 Projects requiring specific commission authorization. Unless and until the commission has authorized the same, no water public utility or combined water and sewer public utility shall:

(1) Acquire, construct, install or place in operation any utility plant for rendering service in any municipality in which said utility is not already legally operating as the only water or combined water and sewer public utility.

(2) Acquire for purposes of utility operation any existing plant or mains.

History: Cr. Register, October, 1974, No. 226, eff. 11-1-74.

PSC 184.04 Applications for commission authorization. (1) Application for authorization under s. PSC 184.03 shall set forth insofar as applicable:

(a) A brief description of the project.

(b) Purpose and necessity of project with supporting data.

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(c) Estimated gross cost of construction with a breakdown by major plant categories. Estimated engineering, legal and contingency costs shall each be tabulated separately.

(d) Such other facts as are necessary to provide a full understanding of the nature and extent of the project and the reasons therefor.

History: Cr. Register, October, 1974, No. 226, eff. 11-1-74.

PSC 184.05 Submission of information for other projects. (1) At least 60 days before commencement of construction, each utility shall submit information with respect to plant improvement and extension projects as described in pars. (a) and (b) of this subsection when said projects are estimated to involve gross property additions in excess of 25% of the existing investment in the corresponding plant account or in excess of \$25,000 per project, whichever is the smaller, except that information need not be submitted for any project estimated to involve gross property additions of less than \$2,000:

(a) Water public utility projects including any additional well, pumping station, purification or treatment facilities, storage reservoir, and projects involving any additions to or replacement of all or portions of any of these facilities.

(b) Sewer utility construction projects including any additional sewage treatment and disposal plant, or additions to or replacement of said plants or portions thereof.

(2) If additional information is requested by the commission, the 60-day waiting period before commencement of work shall begin from the date the additional information is received by the commission.

History: Cr. Register, October, 1974, No. 226, eff. 11-1-74.

PSC 184.06 Information to be submitted. (1) **SEPARATE PROJECT OR PROJECTS.** An estimate of the gross cost of construction, the location, brief reasons to support the necessity for the construction, and a brief description of the construction project shall be submitted to the commission for the project or projects.

(2) **GROUPING OF PROJECTS—12-MONTH PERIOD.** A utility may, upon prior approval of the commission and in lieu of reporting on a separate project basis, submit on an annual basis the information required for each project under sub. (1) of this section.

History: Cr. Register, October, 1974, No. 226, eff. 11-1-74.

PSC 184.07 Commission review of information submitted. (1) Upon receipt of the information called for by the foregoing ss. PSC 184.05 and 184.06, the commission may:

(a) Acknowledge receipt of and accept the information for filing, in which case the utility may proceed with the construction work, or

(b) Direct that no project or projects shown in the information submitted shall proceed until the commission, pursuant to s. 196.49 (4), Stats., has certified that public convenience and necessity require such project or projects.

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(2) If no action is taken by the commission within the 60-day waiting period prescribed in s. PSC 184.05, the utility may proceed with the construction work.

History: Cr. Register, October, 1974, No. 226, eff. 11-1-74.

PSC 184.08 Emergency work. Notwithstanding the foregoing requirements set forth in ss. PSC 184.05 and 184.06 the utility may, in case of emergency, begin urgently necessary work but shall promptly notify the commission and shall, within 30 days from the commencement of such work, furnish the commission with information called for in s. PSC 184.05.

History: Cr. Register, October, 1974, No. 226, eff. 11-1-74.